

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARTHUR CHING, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

No. C 09-2613 MMC

**ORDER GRANTING IN PART AND
DENYING IN PART STATE FARM'S
MOTION FOR SUMMARY JUDGMENT;
AFFORDING LEAVE TO FILE SECOND
MOTION FOR SUMMARY JUDGMENT;
CONTINUING CASE MANAGEMENT
CONFERENCE**

Before the Court is defendant State Farm Mutual Automobile Insurance Company's ("State Farm") Motion for Summary Judgment, filed February 12, 2010. The matter came on regularly for hearing on May 7, 2010. Richard L. Kellner appeared on behalf of plaintiff Arturo Ching. Laura L. Goodman and Andrew J. King appeared on behalf of defendant.

Having considered the papers filed in support of and in opposition to the motion, and the arguments of counsel, the Court, for the reasons stated on the record at the hearing, rules as follows:

1. To the extent defendant seeks summary judgment on plaintiff's First and Fourth Causes of Action, the motion is hereby GRANTED.

2. To the extent defendant seeks summary judgment on plaintiff's Second and Third Causes of Action, the motion is hereby DENIED.

